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7 UNITED STATES DISTRICT COURT  
8 FOR THE EASTERN DISTRICT OF WASHINGTON

9  
10 STATE OF WASHINGTON, *et al.*,

11 Plaintiffs,

12 v.

13 U.S. FOOD AND DRUG  
14 ADMINISTRATION, *et al.*,

15 Defendants.

No. 1:23-cv-03026

STIPULATED MOTION TO  
MODIFY DEADLINES

12/23/24

WITHOUT ORAL ARGUMENT

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17 Following a request by Defendants, the parties hereby stipulate to and  
18 request that the Court modify the schedule set in its July 16, 2024 Order (ECF No.  
19 153) and extend Defendants' deadline to file their combined cross-motion for  
20 summary judgment and opposition to Plaintiffs' motion for summary judgment,  
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22

1 and all subsequent related deadlines. As set forth herein, good cause exists to grant  
2 this Motion.

3 1. On July 16, 2024, this Court granted the parties' request to set a  
4 summary judgment briefing schedule.  
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6 2. Pursuant to that schedule, Plaintiffs timely filed their motion for  
7 summary judgment on October 10, 2024.

8 3. The schedule contemplates the following deadlines for the remaining  
9 filings:

10 a. Defendants' combined cross-motion for summary judgment and  
11 opposition to Plaintiffs' motion for summary judgment, not to  
12 exceed 40 pages, is due by December 6, 2024;

13 b. Plaintiffs' combined reply in support of their motion for summary  
14 judgment and opposition to Defendants' motion for summary  
15 judgment, not to exceed 35 pages, is due by January 24, 2025;

16 c. Defendants' reply in support of their motion for summary  
17 judgment, not to exceed 20 pages, is due by March 7, 2025;

18 d. The parties' joint appendix of citations to the administrative record  
19 is due by March 21, 2025.  
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4. Undersigned counsel for Defendants has a hearing in another matter scheduled for December 5, 2024, which will require significant preparation time. Accordingly, having met and conferred, the parties agree to request that the Court modify the existing schedule by extending Defendants' upcoming December 6 deadline and all subsequent deadlines by 5 days. Under that revised schedule:

a. Defendants will file their combined cross-motion for summary judgment and opposition to Plaintiffs' motion for summary judgment, not to exceed 40 pages, no later than December 11, 2024;

b. Plaintiffs will file their combined reply in support of their motion for summary judgment and opposition to Defendants' motion for summary judgment, not to exceed 35 pages, no later than January 29, 2025;

c. Defendants will file their reply in support of their motion for summary judgment, not to exceed 20 pages, no later than March 12, 2025;

d. The parties shall jointly prepare, and Plaintiffs shall file, a joint appendix containing portions of the administrative record cited in the parties' briefs no later than March 26, 2025.

1 November 21, 2024

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**CERTIFICATE OF SERVICE**

I hereby certify that, on November 21, 2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

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